

**MINUTES
of the
KEENE CITY COUNCIL**

THURSDAY, AUGUST 17, 2023

COUNCIL PRESENT: Mayor Lisa Parrish, James Belz, Ray Johnson, Thomas Gutwa, Rob Foster, and Gwen Beeson.

COUNCIL ABSENT: Owen Larson

CALL TO ORDER: Mayor Parrish called the meeting to order at 6:00 p.m.

Invocation – Councilmember Foster.

Pledge of Allegiance & Pledge to the Texas Flag – Council and Public.

1. Mayor Comments:

- Mayor Parrish gave an update of community events.

2. Public Comments:

- Samantha Gillin and Stephen Cagle spoke during public comments.

3. Consideration and approval of City Council minutes dated July 20, 2023.

- Councilmember Gutwa made a motion to approve the City Council minutes dated July 20, 2023.
- Councilmember Beeson seconded the motion.
- Motion carried 4-0-1 (Councilmember Foster abstained. Councilmember Larson absent).

4. Consideration and approval of City Council minutes dated August 3, 2023.

- Councilmember Beeson made a motion to approve the City Council minutes dated August 3, 2023, with a correction to add the City Attorney Pat Chesser as being present for the meeting.
- Councilmember Foster seconded the motion.
- Motion carried 5-0-0 (Councilmember Larson absent).

5. Discussion and Presentation of the City of Keene FY21 Audit.

- Forvis Managing Director Rachel Ormsby presented the FY21 Audit.
- Finance Director Charles Williams spoke on the topic.

6. Discussion the no-new-revenue and voter-approval tax rate calculations; take action to consider a proposed tax rate (must be a record vote) and schedule public hearing date for the proposed tax rate and budget.

- Finance Director Charles Williams presented the no-new-revenue and voter-approval tax rate calculations, and public hearing date for the proposed tax rate and budget.
- Mayor Parrish spoke on the topic.
- Councilmember Gutwa spoke on the topic.
- Wes Schram spoke on the topic.
- Councilmember Foster spoke on the topic.
- Councilmember Johnson spoke on the topic.

- Councilmember Foster made a motion to approve the proposed tax rate of 0.834134.
- Councilmember Gutwa seconded the motion.
- A roll call vote approving the proposed tax rate of 0.834134 was held, the councilmembers voted as noted below:

Ray Johnson (Place 1) – Yes
 Thomas Gutwa (Place 2) – Yes
 James Belz (Place 3) – Yes

Rob Foster (Ward 1) – Yes
 Gwen Beeson (Ward 2) – Yes
 Owen Larson (Ward 3) – Absent

- Motion carried 5-0-0 (Councilmember Larson absent).
- Councilmember Foster made a motion to approve the scheduled public hearing date for the proposed tax rate and budget for September 7, 2023, at 6:00 p.m.
- Councilmember Belz seconded the motion.
- Motion carried 5-0-0 (Councilmember Larson absent).
- *Councilmember Foster requested to move agenda items 12, 13, and 14 before agenda item 7, in consideration of developers.*

12. Discussion and take possible action on the Final Plat for Sunset Ridge as submitted by MKP Development, LLC.

- Assistant City Manager Don Martin presented the Final Plat and the Planning and Zoning Commission’s recommendation for approval.
- Councilmember Johnson spoke on the topic.
- Councilmember Foster made a motion to approve the Final Plat for Sunset Ridge as submitted by MKP Development, LLC.
- Councilmember Belz seconded the motion.
- Motion carried 5-0-0 (Councilmember Larson absent).

13. Discussion and take possible action on the Final Plat for Ashton Homeplace Phase 1 as submitted by MKP Development, LLC.

- Assistant City Manager Don Martin presented the Final Plat and the Planning and Zoning Commission’s recommendation for approval.
- Councilmember Beeson made a motion to approve the Final Plat for Ashton Homeplace Phase 1 as submitted by MKP Development, LLC.
- Councilmember Belz seconded the motion.
- Motion carried 5-0-0 (Councilmember Larson absent).

14. Discussion and take possible action on the Final Plat for the Canyons Phases 1-3 as submitted by J&L Holdings Company.

- Assistant City Manager Don Martin presented the Final Plat and the Planning and Zoning Commission’s recommendation for approval.
- Councilmember Belz made a motion to approve the Final Plat for the Canyons Phases 1-3 as submitted by J&L Holdings Company.
- Councilmember Foster seconded the motion.
- Motion carried 5-0-0 (Councilmember Larson absent).

- 7. Discussion and take possible action regarding the employee health insurance proposals for FY 2023-2024.**
- Human Resource Director Nathan Drambareanu presented the employee health insurance proposals for FY 2023-2024.
 - Lockton Dunning Benefits, Assistant Vice President, Nelson Parrott spoke on the topic.
 - Councilmember Foster spoke on the topic.
 - Mayor Parrish spoke on the topic.
 - Councilmember Belz spoke on the topic.
 - City Manager Brent Batla spoke on the topic.
 - Debbie Belz spoke on the topic.
 - Samantha Gillin spoke on the topic.
 - Stephen Cagle spoke on the topic.
 - Assistant City Manager Don Martin spoke on the topic.
 - Fire Captain Blaine Stroud spoke on the topic.
 - Councilmember Johnson spoke on the topic.
 - Councilmember Beeson spoke on the topic.
 - Councilmember Gutwa spoke on the topic.
 - Fire Chief Dan Warner spoke on the topic.
 - Police Chief James Kidd spoke on the topic.
 - Don Beeson Sr spoke on the topic.
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- Councilmember Belz made a motion to approve Mid-Market, Low Deductible 100/60 employee health insurance proposal for FY 2023-2024.
 - Councilmember Johnson seconded the motion.
 - Motion failed 2-3-0 (Councilmembers Gutwa, Foster, and Beeson against. Councilmember Larson absent).
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- Councilmember Gutwa made a motion to table the employee health insurance proposals for FY 2023-2024.
 - Motion died for lack of a second.
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- Councilmember Belz made a motion to approve keeping the current employee health insurance rate for FY 2023-2024.
 - Councilmember Beeson seconded the motion.
 - Motion carried 3-2-0 (Councilmembers Gutwa and Johnson against. Councilmember Larson absent).
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- *Mayor Parrish called for a 10-minute recess.*
 - *Council convened into Recess at: 8:30 p.m.*
 - *Council reconvened into Open Session at 8:40 p.m.*
- 8. Discussion and take possible action authorizing an Interlocal Cooperation Agreement for Dispatching Services with Johnson County for FY 2023-2024.**
- Police Chief James Kidd presented the Interlocal Cooperation Agreement.
 - Councilmember Beeson made a motion to approve authorizing an Interlocal Cooperation Agreement for Dispatching Services with Johnson County for FY 2023-2024.
 - Councilmember Belz seconded the motion.
 - Motion carried 5-0-0 (Councilmember Larson absent).

- 9. Discussion and take possible action amending Ordinance No. 2023-656 City Council Agenda Setting Procedures.**
- **City Secretary Tabatha Mansell presented the requested possible amendments.**
 - **Councilmember Foster spoke on the topic.**
 - **Councilmember Gutwa spoke on the topic.**
 - **Mayor Parrish spoke on the topic.**
 - **Councilmember Beeson spoke on the topic.**
 - **City Manager Brent Batla spoke on the topic.**
 - **Councilmember Belz spoke on the topic.**
- **Councilmember Foster made a motion to table amending Ordinance No. 2023-656 City Council Agenda Setting Procedures until the next City Council meeting to receive further clarification.**
- **Councilmember Gutwa seconded the motion.**
- **Councilmember Foster withdrew the motion.**
- **Councilmember Foster made a motion to table amending Ordinance No. 2023-656 City Council Agenda Setting Procedures until the next City Council meeting to receive further clarification.**
- **Councilmember Gutwa seconded the motion.**
- **Motion carried 3-2-1 (Councilmembers Foster and Gutwa for. Councilmembers Belz and Beeson against. Councilmember Johnson abstained. Mayor Parrish broke the tie. Councilmember Larson absent).**
- 10. Discussion and take possible action adopting Ordinance No. 2023-657 repealing a juvenile curfew codified in Section 130.05 “Curfew hours for minors,” and repealing Section 130.99(b)(1) and (2) “Penalty” establishing a penalty for violation of the juvenile curfew, in Title XIII Chapter 130 “General Provisions” of the City of Keene Code of Ordinances.**
- **City Secretary Tabatha Mansell presented Texas House Bill 1819.**
- **Councilmember Foster made a motion to approve adopting Ordinance No. 2023-657 repealing a juvenile curfew codified in Section 130.05 “Curfew hours for minors,” and repealing Section 130.99(b)(1) and (2) “Penalty” establishing a penalty for violation of the juvenile curfew, in Title XIII Chapter 130 “General Provisions” of the City of Keene Code of Ordinances.**
- **Councilmember Belz seconded the motion.**
 - **Motion carried 5-0-0 (Councilmember Larson absent).**
- 11. Discussion and give direction to staff on an Interlocal Agreement between Johnson County Special Utility District and the City of Keene for Sewer/Sanitation billing services.**
- **Assistant City Manager Don Martin presented the Interlocal Agreement.**
 - **Councilmember Gutwa spoke on the topic.**
 - **Councilmember Johnson spoke on the topic.**
- **Councilmember Beeson made a motion to approve an Interlocal Agreement between Johnson County Special Utility District and the City of Keene for Sewer/Sanitation billing services.**
- **Councilmember Belz seconded the motion.**
 - **Motion carried 5-0-0 (Councilmember Larson absent).**
- 12. Budget Workshop FY 2023-2024.**
- **Finance Director Charles Williams and City Manager Brent Batla presented the FY 2023-2024 budget.**
 - **Councilmember Foster spoke on the topic.**

- Public Works Director Derek Malone spoke on the topic.
- Mayor Parrish spoke on the topic.
- Councilmember Belz spoke on the topic.
- Councilmember Beeson spoke on the topic.
- Councilmember Johnson spoke on the topic.
- Councilmember Gutwa spoke on the topic.

15. Department Report

- Finance Director Charles Williams presented the financial statement ending July 31, 2023.
- Councilmember Beeson spoke on the topic.

16. Executive Session: Pursuant to the Texas Open Meetings Act, Chapter 551, Texas Government Code, the City Council reserves the right to convene in Executive Session closed to the public, as deemed necessary during this meeting for any posted item, to receive advice from its attorney as permitted by law, and by the following authority:

- Council convened into Executive Session at 9:40 p.m.
 - a) Seek the Advice of the City Attorney Pursuant to Section 551.071; Economic Development Pursuant to Section 551.087
 - Possible amendment to Chapter 380 Economic Development Agreement with J&L Holdings.
 - b) Personnel Matters Pursuant to Section 551.074
 - Review, deliberate, and discuss the daily duties of the City Secretary.

17. Reconvene into Open Session for possible action resulting from any item posted or discussed in Executive Session.

- Council reconvened into Open Session at 10:03 p.m.


18. Discussion and take possible action authorizing an amendment to the Chapter 380 Economic Development Agreement with J&L Holdings for the Canyons Subdivision.

- Councilmember Foster made a motion to approve an amendment to the Chapter 380 Economic Development Agreement with J&L Holdings for the Canyons Subdivision.
- Councilmember Belz seconded the motion.
- Motion carried 5-0-0 (Councilmember Larson absent).

19. Requests for future agenda items.

- Councilmember Foster requested tabled item amending Ordinance No. 2023-656.
- Councilmember Gutwa requested a discussion of how the City can determine how much rate of water is coming from a certain area.

20. Mayor Parrish adjourned the meeting at 10:05 p.m.

By: 

Lisa Parrish, Mayor

Attest: 

Tabatha Mansell, City Secretary